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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ATSUSHI TOMOKUNI : EXAMINER: CHANNAVAJJALA, L.
SERIAL NO: 10/743,080 :
FILED: DECEMBER 23, 2003 : GROUP ART UNIT: 1611
FOR: SKIN CLEANSING :
COMPOSITION :

DECLARATION UNDER 37 C.F.R. §1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Mr. Atsushi Tomokuni who deposes and declares that:

1. I am a graduate of Kyoto University, the Graduate School of Engineering, and received my Masters degree in the year 1998, with a major in synthetic chemistry.
2. I have been employed by Kao Corporation the assignee of the above-identified application and since 1998 been employed as a researcher in the Beauty Care Research Laboratories, responsible for development of skin cleansing compositions.
3. I am a named inventor of the above-identified application.
4. In order to test the effectiveness of make-up removal, the following experiments were conducted by me or under my direct supervision or control.

Examples 1, 10 and 11 according to the above-identified application were

prepared. Example 1 of Watanabe et al. U.S. 6,346,507 was also prepared. The compositions are reported as follows:

			Example 1	Example 9	Example 10	Reference
A:	Oil Component	Hydrogenated polyisobutene	10.0	10.0	10.0	
		Decamethylcyclopentasiloxane				25
B:	Hydrophilic nonionic surfactant	POE(12)laurate	14.0	14.0	8.0	
		POE(5) lauryl ether				25
C:	Lipophilic amphiphile	Lauryl alcohol	6.0			
		Lauric acid		6.0		
		Lauryl Phosphate			12.0	
D:	Water soluble solvent	Ethanol	25.0	25.0	20.0	5.0
E:	Water	Purified water	45.0	45.0	50.0	25.0

Examples 1, 10, 11: Examples in the above-identified application

Reference : Example 1 of U.S. 6,346,507 Watanabe et al. (State of phase: Liquid crystal)

Evaluation of cleansing ability to Waterproof mascara

Method:

1. Apply 10 mg of waterproof mascara(*) on the inside of forearm.
(* Maybelline Volume Express Turbo Boost 01 Black)
2. After 3 hours aeration, apply a drop of cleansers on the waterproof mascara
3. Massage the cleanser for 10 times, following with rinsing off by running water.

Results



Example 1 Not treated Reference 1

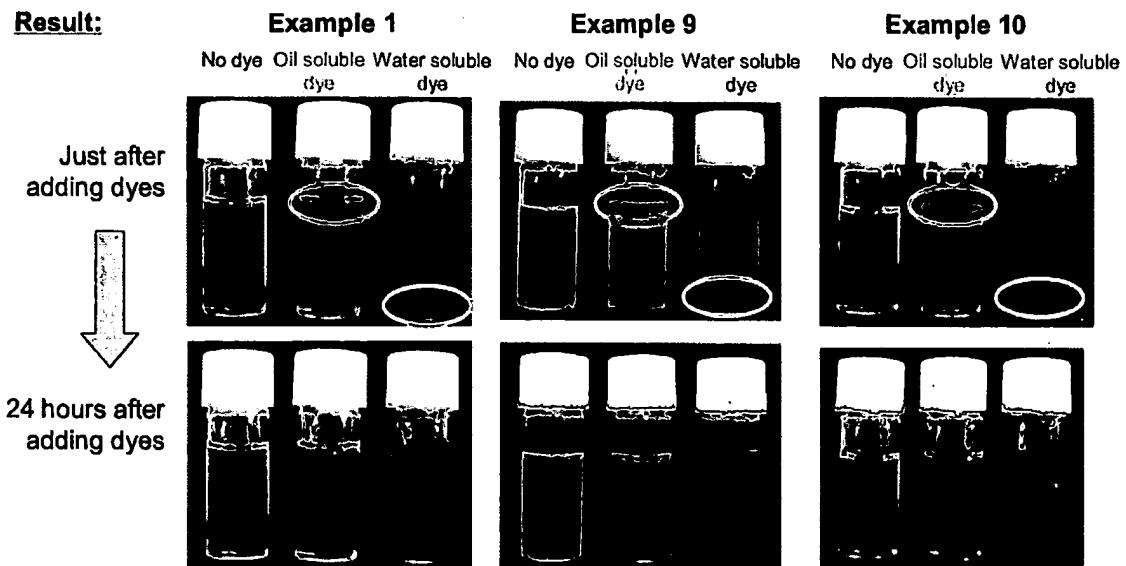
Example 1, having an isotropic solution having a bicontinuous structure showed a greater degree of effectiveness at removing a waterproof mascara, than the reference example 1 according to Watanabe et al. which exhibited a liquid crystal solution structure.

Dye solubility tests for the Example 1, 2, 3

Method:

1. Each solution was put in a glass bottle.
2. A few drops of a water-soluble dye (**blue**) or an oil-soluble dye (**red**) was carefully placed on the surface of the solutions.
3. Pictures were taken just after adding dyes and after 24 hours and reported as follows:

Result:



All the samples dissolved both types of dyes spontaneously.

The observation of spontaneous dissolution of the oil soluble dye and the water soluble dye suggests that all three samples had a bicontinuous structure.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is believed to be true and correct. 28 USC 1746(1)

Atsushi Tomokuni
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December 9, 2009
Date